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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CISCO SYSTEMS, INC.,

Plaintiff,

vs.

ARISTA NETWORKS, INC.,

Defendant.

CASE NO. 5:14-cv-5344-BLF (PSG)

**DECLARATION OF SARA E. JENKINS
IN SUPPORT OF CISCO SYSTEMS,
INC.'S MOTION FOR PROTECTIVE
ORDER**

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I, Sara E. Jenkins, hereby declare as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate with the law firm Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Cisco Systems, Inc. (“Cisco”). I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.
2. Attached hereto as Exhibit 1 is a true and correct copy of an excerpt from Cisco Systems, Inc. Form 10-K submission to the United States Securities and Exchange Commission for the fiscal year ending July 25, 2015, accessed at <http://investor.cisco.com/investor-relations/financial-information/sec-filings/2015/default.aspx> on May 20, 2016.
3. Attached hereto as Exhibit 2 is a true and correct copy of an April 7, 2016 email from Elizabeth K. McCloskey, counsel for Arista, to counsel for Cisco with the subject line “Cisco v. Arista: Depositions.”
4. Attached hereto as Exhibit 3 is a true and correct copy of a April 12, 2016 letter from Amy H. Candido, counsel for Cisco, to Eduardo E. Santacana for Arista.
5. Attached hereto as Exhibit 4 is a true and correct copy of an April 12, 2016 letter from Eduardo E. Santacana to Amy H. Candido.
6. Attached hereto as Exhibit 5 is a true and correct copy of an April 18, 2016 email from Elizabeth K. McCloskey to John Neukom, counsel for Cisco, et al. and related thread with the subject line “Cisco v. Arista (Hafeez & Pech Depositions).”
7. Attached hereto as Exhibit 6 is a true and correct copy of an April 19, 2016 email from Amy Candido to Elizabeth K. McCloskey et al. and related thread with the subject line “RE: Cisco v. Arista (Hafeez & Pech Depositions).”

1 16. Attached hereto as Exhibit 15 is a true and correct copy of a May 16, 2014 email
2 from Tim Bohlin to Prem Jain with thread bearing Bates numbers CSI-CLI-03225919 through
3 CSI-CLI-03225922 that was cited in Arista's May 4, 2016 email (Exhibit 7).

4 17. Attached hereto as Exhibit 16 is a true and correct copy of excerpts from the
5 deposition transcript of Soni Jiandani reported on April 29, 2016, that was cited in Arista's May 4,
6 2016 email (Exhibit 7).

7 18. To date, Arista has already noticed, or taken, the depositions of Andrew Pletcher,
8 Deepak Malik, Drago Sijan, and Soni Jiandani, all of whom were listed as "competitive
9 personnel" in Arista's Supplemental Discovery Plan. In addition, Arista has taken the deposition
10 of John Hartingh, a member of Cisco's team focused on competition with Arista. Moreover, in
11 the ITC Investigations between Cisco and Arista, the deposition and trial transcripts of which are
12 subject to a cross-use agreement in this case, Arista listed "competitive personnel" Soni Jiandani,
13 Cesar Obediente, Andrew Pletcher, and Wayne Ogozaly were deposed by Arista, and Soni
14 Jiandani testified at the ITC.

15 19. Cisco did not list Mr. Chambers on its original or supplemental initial disclosures
16 and will not call Mr. Chambers at trial if he is not deposed.

17 20. In response to Arista's Rule 30(b)(6) Notice identifying 133 topics for deposition,
18 Cisco has designated deponents for all but a few of these topics and is finalizing its designee(s) for
19 the remaining topics, subject to its objections. Cisco has agreed to provide testimony on topics
20 related to competition between Cisco and Arista.

21 21. Of the more than thirty-five people who either wrote or received the "key" emails
22 that Arista cited to try to show that Mr. Chambers has personal knowledge of competition between
23 the companies, Arista has only notified Cisco of its intent to depose three of them. Of those, two
24 depositions have already been taken, and the other has been scheduled.

SIGNATURE ATTESTATION

Pursuant to Civ. L.R. 5-1(i)(3), the undersigned hereby attests under penalty of perjury that concurrence in the filing of this document has been obtained from the signatory indicated by the “conformed” signature (/s/) of registered ECF User Sara E. Jenkins (Bar No. 230097).

Dated: May 24, 2016

/s/ Amy H. Candido
Amy H. Candido